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APPLICATION NO.	FILING	DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/720,229	11/25/	/2003	Yatsuka Nakamura	0994-0231P	4346	
2292	7590	03/08/2006		EXAMINER		
	EWART KO	FRECH, I	FRECH, KARL D			
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				2876		
				DATE MAILED: 03/08/2000	6	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SETT O EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, PROM THE MAILING DATE OF THIS COMMUNICATION.  Entertained in the margin are interest and the provision of 50° CR1 1360°, in the event, however, may a regip the timely filled.  If NO period for regip is specified above, the maximum statutory period wit apply and will expire SIX (6) MONTHS from the mailing date of this communication. Fallure to region with the provision of the state of the communication of the state of the communication of the state of the communication, even if smally filed, may redoce any excepted period for expire year will be stated as the supplication of the state of the communication, even if smally filed, may redoce any excepted period for expire year will be stated as the communication, even if smally filed, may redoce any excepted period for expire year will be stated to the communication, even if smally filed, may redoce any excepted period for expire year of CPR 1-74(4).  Status  1) Responsive to communication (s) filed on		Application No.	Applicant(s)						
Karl D. Frech   2876		10/720,229	NAKAMURA, YAT						
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1)  Responsive to communication(s) filed on  2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-7 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) 1-7 is/are rejected.  7)  Claim(s) is/are allowed.  6)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to by the Examiner.  10)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(e)  1) Notice of Pratsperson's Patent Drawing Review (PTO-948)  3) Information Disclosuer Statement(s) (PTO-1449 or PTO/SB/06)	WHICHEVER IS LONGER, FROM THE MAILII  - Extensions of time may be available under the provisions of 37 of after SIX (6) MONTHS from the mailing date of this communicate. If NO period for reply is specified above, the maximum statutory. Failure to reply within the set or extended period for reply will, by Any reply received by the Office later than three months after the	NG DATE OF THIS COMMUNI CFR 1.136(a). In no event, however, may a ion. period will apply and will expire SIX (6) MOI y statute, cause the application to become A	CATION. reply be timely filed  NTHS from the mailing date of this c BANDONED (35 U.S.C. § 133).						
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Application/Control Number: 10/720,229 Page 2

Art Unit: 2876

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on 7/16/2001. It is noted, however, that applicant has not filed a certified copy of the Japanese application as required by 35 U.S.C. 119(b).

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Boyle 6,328,209 in view of Deason et al 5,003,600. O'Boyle discloses an identity card with a holographic image (col 5 lines 50-60) which creates a moiré pattern (col 12 lines 35-55). O'Boyle does not specifically disclose the three dimensional nature of the image creating the moiré pattern. Deason discloses a surface relief diffraction grating, i.e. three dimensional (col 2 line 65), which creates a moiré pattern (col 4 lines 18-28), on an ID tag (col 4 lines 38-46). The diffraction grating is composed of an inert epoxy, i.e. resin (col 4 lines 47-56). It would have been obvious to a person of ordinary skill in the art at the time of the invention to make the image of O'Boyle three dimensional in order to allow for pre-manufacture of the image to be placed on a card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl D. Frech whose telephone number is (571) 272-2390. The examiner can normally be reached on maxi-flex.

Application/Control Number: 10/720,229 Page 3

Art Unit: 2876

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner
Art Unit 2876

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